



General Assembly

February Session, 2016

Raised Bill No. 5391

LCO No. 2004



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

AN ACT CONCERNING THE HANDLING OF VOTER AFFIDAVITS.

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 9-261 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2016*):

3 (a) In each primary, election or referendum, when an elector has
4 entered the polling place, the elector shall announce the elector's street
5 address, if any, and the elector's name to the official checker or
6 checkers in a tone sufficiently loud and clear as to enable all the
7 election officials present to hear the same. Each elector who registered
8 to vote by mail for the first time on or after January 1, 2003, and has a
9 "mark" next to the elector's name on the official registry list, as
10 required by section 9-23r, shall present to the official checker or
11 checkers, before the elector votes, either a current and valid photo
12 identification that shows the elector's name and address or a copy of a
13 current utility bill, bank statement, government check, paycheck or
14 other government document that shows the name and address of the
15 elector. Each other elector shall (1) present to the official checker or

16 checkers the elector's Social Security card or any other preprinted form
17 of identification which shows the elector's name and either the elector's
18 address, signature or photograph, or (2) on a form prescribed by the
19 Secretary of the State, write the elector's residential address and date of
20 birth, print the elector's name and sign a statement under penalty of
21 false statement that the elector is the elector whose name appears on
22 the official checklist. Such form shall clearly state the penalty of false
23 statement. A separate form shall be used for each elector. If the elector
24 presents a preprinted form of identification under subdivision (1) of
25 this subsection, the official checker or checkers shall check the name of
26 such elector on the official checklist, manually on paper or
27 electronically. If the elector completes the form under subdivision (2)
28 of this subsection, the registrar of voters or the assistant registrar of
29 voters, as the case may be, shall examine the information on such form
30 and either instruct the official checker or checkers to check the name of
31 such elector on the official checklist, manually on paper or
32 electronically, or notify the elector that the form is incomplete or
33 inaccurate.

34 (b) [In the event that] If an elector is present at the polling place but
35 is unable to gain access to the polling place due to a temporary
36 incapacity, the elector may request that the ballot be brought to him or
37 her. [The registrars of voters or the assistant registrars of voters, as the
38 case may be, shall take such ballot, along with a privacy sleeve to such
39 elector.] The elector shall show identification, in accordance with the
40 provisions of [this section] subsection (a) of this section. If the elector
41 presents a preprinted form of identification under subdivision (1) of
42 subsection (a) of this section, the registrars of voters or the assistant
43 registrars of voters, as the case may be, shall take such ballot, along
44 with a privacy sleeve, to such elector. If the elector completes the form
45 under subdivision (2) of subsection (a) of this section, the registrars of
46 voters or the assistant registrars of voters, as the case may be, shall take
47 a provisional ballot, along with a privacy sleeve, to such elector. The
48 elector shall forthwith mark the ballot in the presence of the election

49 officials in such manner that the election officials shall not know how
50 the ballot is marked. The elector shall place the ballot in the privacy
51 sleeve. The election officials shall mark the elector's name on the
52 official voter list, manually on paper or electronically, as having voted
53 in person and deliver such ballot and privacy sleeve to the voting
54 tabulator where such ballot shall be placed into the tabulator, by the
55 election official, for counting, except that any provisional ballot shall
56 be counted in accordance with sections 9-232i to 9-232o, inclusive. The
57 moderator shall record such activity in the moderator's diary.

58 (c) In each polling place in which two or more parties are holding
59 primaries in which unaffiliated electors are authorized to vote,
60 pursuant to section 9-431, an unaffiliated elector shall also announce to
61 the separate table of the official checker or checkers for unaffiliated
62 electors the party in whose primary the elector chooses to vote and the
63 official checker or checkers shall note such party when checking such
64 elector's name on the checklist of unaffiliated electors, manually on
65 paper or electronically, provided such choice shall not alter the
66 elector's unaffiliated status.

67 (d) In each polling place in which two or more parties are holding
68 primaries in which unaffiliated electors are authorized to vote or in
69 which one party is holding a primary in which unaffiliated electors are
70 authorized to vote for some but not all offices to be contested at the
71 primary, the official checker or checkers shall give to each elector
72 checked manually on paper or electronically, a receipt provided by the
73 registrars of voters, in a form prescribed by the Secretary of the State,
74 specifying either (1) the party with which the elector is enrolled, if any,
75 or (2) in the case of an unaffiliated elector, the party in whose primary
76 the elector has so chosen to vote, and whether the elector is authorized
77 to vote for only a partial ballot.

78 (e) If not challenged by anyone lawfully present in the polling place,
79 the elector shall be permitted to pass to the separated area to receive
80 the ballot. The elector shall give any receipt the elector has received to

81 a ballot clerk who shall give the elector a ballot to vote only in the
82 primary of the party specified by the receipt, except if the elector
83 completed the form under subdivision (2) of subsection (a) of this
84 section, the ballot clerk shall give the elector a provisional ballot. The
85 elector shall be permitted into the voting booth area, and shall then
86 register his or her vote in secret. Having voted, the elector shall
87 immediately exit the voting booth area and deposit the ballot in the
88 voting tabulator and leave the room, except that any provisional ballot
89 shall be counted in accordance with sections 9-232i to 9-232o, inclusive.
90 No elector shall remain within the voting booth longer than the time
91 necessary to complete the ballot, and, if the elector refuses to leave
92 such booth after completing the ballot, the elector shall at once be
93 removed by the election officials upon order of the moderator. Not
94 more than one elector at a time shall be permitted to be within the
95 enclosed space which the elector occupies while the elector completes
96 his or her ballot, provided an elector may be accompanied within such
97 enclosed space by one or more children who are fifteen years of age or
98 younger and supervised by the elector, if the elector is the parent or
99 legal guardian of such children. If any elector, after entering the voting
100 booth area, asks for further instruction concerning the manner of
101 voting, the election officials shall give such instructions or directions to
102 the elector; but no election official instructing or assisting an elector,
103 except as provided in section 9-264, shall look at the ballot in such a
104 way as to see the elector's markings or in any manner seek to influence
105 any such elector in the casting of the elector's vote.

106 (f) The Secretary of the State shall establish and implement
107 procedures for auditing, not later than thirty days after each primary,
108 election or referendum, each form completed under subdivision (2) of
109 subsection (a) of this section for accuracy. Not later than thirty days
110 after each such audit, the Secretary shall submit a report of any
111 findings of such audit to the joint standing committee of the General
112 Assembly having cognizance of matters relating to elections in
113 accordance with the provisions of section 11-4a.

114 Sec. 2. Subdivision (4) of subsection (d) of section 9-23g of the 2016
115 supplement to the general statutes is repealed and the following is
116 substituted in lieu thereof (*Effective July 1, 2016*):

117 (4) If on the day of an election or primary, the name of an applicant
118 does not appear on the official check list, such applicant may present
119 to the moderator at the polls either a notice of acceptance received
120 through the mail or an application receipt that was previously
121 provided to the applicant pursuant to section 9-19e, subsection (b) of
122 section 9-19h, subsection (b) of this section or section 9-23n. If an
123 applicant presents said notice or receipt, and either the registrars of
124 voters find the original application or the applicant submits a new
125 application at the polls, the registrar, or assistant registrar upon notice
126 to and approval by the registrar, shall add such person's name and
127 address to the official check list on such day and the person shall be
128 allowed to vote if otherwise eligible to vote and the person presents to
129 the checkers at the polling place a preprinted form of identification
130 pursuant to [subparagraph (A) of subdivision (2)] subdivision (1) of
131 subsection (a) of section 9-261, as amended by this act.

132 Sec. 3. Subsection (b) of section 9-23r of the general statutes is
133 repealed and the following is substituted in lieu thereof (*Effective July*
134 *1, 2016*):

135 (b) If an individual submits such information pursuant to this
136 section as part of the individual's voter registration application and,
137 with respect to subdivision (3) or (4) of subsection (a) of this section,
138 the registrars of voters are able to match the information submitted
139 with an existing Connecticut identification record bearing the same
140 number, name and date of birth as provided, such individual shall not
141 be required to produce identification when voting in person or by
142 absentee ballot and may sign a statement as described in
143 [subparagraph (B) of] subdivision (2) of subsection (a) of section 9-261,
144 as amended by this act, in lieu of presenting identification when voting
145 in person.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2016</i>	9-261
Sec. 2	<i>July 1, 2016</i>	9-23g(d)(4)
Sec. 3	<i>July 1, 2016</i>	9-23r(b)

Statement of Purpose:

To require that, for any affidavit signed by an elector wishing to vote at any election, primary or referendum without presenting certain forms of identification, (1) the ballot cast by such elector shall be counted as a provisional ballot, and (2) the Secretary of the State shall establish and implement procedures for auditing such affidavits for accuracy not later than thirty days after such election, primary or referendum.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]